



August 10, 2005

BY ELECTRONIC FILING

Ms. Marlene Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

Re: *WC Docket Nos. 04-36, 05-196*

Dear Ms. Dortch:

Phonom LLC ("Phonom") submits this Report in response to the July 26, 2005 Public Notice ("the Public Notice") in the dockets listed above.

- Since it began offering service in January 2004, Phonom has advised each subscriber of the limitations of its E911 service, through terms and conditions provided directly to customers and posted on Phonom's Web site. Specifically, Phonom's terms and conditions have included a disclaimer, in bold type, stating the conditions under which Phonom's E911 service would not work.

In response to the Public Notice and the June 3, 2005 First Report and Order and Notice of Proposed Rulemaking ("VoIP E911 Order") in the dockets listed above, Phonom provided written notice of E911 limitations through an e-mail message sent on July 29, 2005 to all subscribers for whom it had e-mail addresses. On August 8, 2005, Phonom followed that e-mail with another message requesting on-line acknowledgement by customers by no later than August 22, 2005. Phonom is also sending written notice of E911 limitations by U.S. mail to all subscribers, which is expected to be complete by August 12, 2005. That written notice also requests an on-line or other acknowledgement by August 22, 2005.

For residential customers from whom it does not receive affirmative acknowledgement, Phonom has engaged a vendor to seek acknowledgement by telephone (in a manner similar to third-party verifications used to verify that a change of carrier is authorized). Similarly, for business customers from whom it does not receive affirmative acknowledgement, Phonom has engaged its sales support staff to seek affirmative acknowledgement by telephone.

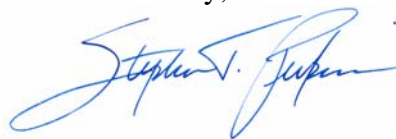
- To date, Phonom has received affirmative acknowledgement from about 3% of its subscribers. Phonom does not expect to receive acknowledgement from 15-20% of its subscribers by August 29, 2005, but will make every reasonable effort to minimize that percentage.

- Phonom began providing E911 warning stickers to new subscribers, along with equipment, on or about August 2, 2005. Phonom is providing E911 warning stickers to all existing customers through the mailing that is expected to be complete by August 12, 2005.
- When its mailing is complete, Phonom will have sent (new) notice of E911 limitations and a warning sticker to 100% of its subscribers.
- Phonom intends to contact directly, by telephone, each subscriber who does not provide affirmative acknowledgement of Phonom's E911 limitations, beginning on or before August 22, 2005. The disconnection of particular customers who still have not provided affirmative acknowledgement by August 29, 2005 will be handled on case-by-case basis. In its conversations with state public utility commission staff, Phonom has been advised that such staff do not favor the disconnection of service to all non-responding subscribers.
- Phonom is maintaining affirmative acknowledgements provided directly by subscribers in electronic and paper form, as appropriate. Affirmative acknowledgements obtained by direct telephone contact will be documented by Phonom's third-party vendor or its sales support staff.
- The person responsible for Phonom's compliance efforts is:

Martin W. Clift, Jr.  
Phonom LLC  
2134 West Laburnum Avenue  
Richmond, Virginia 23227-4342  
Telephone 804.422.4515  
Fax 804.422.4599  
e-mail: [mwclift@cavtel.com](mailto:mwclift@cavtel.com).

Please contact me at 757.248.4160 (telephone) if you have any questions about this report.

Sincerely,

A handwritten signature in blue ink, appearing to read "Stephen T. Perkins".

Stephen T. Perkins  
*Counsel*